

JIM GIBBONS
Governor

STATE OF NEVADA

ANDREW J. MACKAY
Chairman

DIANNE CORNWALL
Director, Business and Industry



MICHAEL J. KLOBERDANZ
Commissioner

MONICA B METZ
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY NEVADA TRANSPORTATION AUTHORITY

A duly authorized meeting of the Nevada Transportation Authority was held on **Thursday, March 4, 2010 at 10:00am** at the Authority's offices located at 2290 South Jones Blvd., Suite #110, Las Vegas, Nevada and 1755 East Plumb Ln., Suite #216, Reno, Nevada.

MINUTES OF THE MEETING

1. Call to Order
2. Roll Call; Attending in Las Vegas were Commissioner Michael Klobberdanz, Commissioner Monica Metz, Administrative Attorney Jim Day, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Lidia Aronova, and Senior Deputy Attorney General David Newton. Attending in Reno were Chairman Andrew MacKay, Deputy Commissioner Marilyn Skibinski, and Investigator Charlie Tolotti filling in for Chief Inspector Michael Bradford.
3. Pledge of Allegiance
4. ****Approval of Agenda; Administrative Attorney Jim Day requested that items 14.b)9) and 14.b) 10) be pulled from the Agenda. The Authority voted 3-0 to approve the Agenda as amended.**
5. ****Approval of the Minutes of the January 28, 2010 Agenda Meeting; The Authority voted 3-0 to approve the minutes of the January 28, 2010 Agenda Meeting.**
6. Ground transportation trends and activity; No one present for comment.
7. Briefings from the Commissioners; Commissioners Metz and Klobberdanz stated they were looking forward to the March 5, 2010 regulation workshop. Chairman MacKay extended thanks to Commissioner Metz for her work on the draft regulations.
8. Briefing from the Deputy Commissioner; No comments.
9. Report of Legal Counsel; Senior Deputy Attorney General Newton stated that the Belssner Matter is grinding along and opposition was filed. He also stated that Judicial Review is ongoing in the Five Star Limo matter.

10. **Applications of Fully Regulated Carriers

- a) **Docket No. 09-12030** The Joint Application of Larry E. Bell for authority to transfer and of the Larry E. Bell Separate Property Trust to acquire 33.33% of the corporate stock of Presidential Limousine, A Nevada Corporation (authorized to provide charter limousine and charter bus service under Certificates of Public Convenience and Necessity 1007, Sub 3 and 2119, respectively). Staff investigation concluded. (AJM) **10.a) and 10.b) were handled as a block. Jeff Silver was present on behalf of the Applicant. Applications Manager Babcock summarized the Applications and stated that Staff recommends approval. Mr. Silver stated that the transfers are for estate planning purposes. The Authority voted 3-0 to approve the Applications.**
- b) **Docket No. 09-12031** The Joint Application of Larry E. Bell for authority to transfer and of the Larry E. Bell Separate Property Trust to acquire 33.33% of the voting stock of Whittlesea Bell, Inc. (owner of Bell Trans, Bell Limo, Whittlesea Checker Taxi and Airport Mini Bus, authorized to provide transportation services under Certificates of Public Convenience and Necessity 1023, Sub1, 1217, 2118, and 2350, Sub 6, respectively). Staff investigation concluded. (AJM) **See 10.a).**
- c) **Docket No. 10-02009** The Request of Points West Tours, Inc. to voluntarily cancel Certificate of Public Convenience and Necessity (CPCN) 2090. Staff investigation concluded. **Applications Manager Babcock summarized the Request. The Authority voted 3-0 to approve the Request.**

11. **Financial Rates and Tariffs

Docket No. 10-02019 The Application of Sunrise Plaza Transportation of Nevada for approval of a tariff rate modification for special services conducted under Certificate of Public Convenience and Necessity (CPCN) 2028, Sub 1. Staff investigation concluded. **Bob Terakawa was present on behalf of the Applicant and extended thanks to Staff. Applications Manager Babcock summarized the Application and stated support. Commissioner Kloberdanz asked about traffic at the speedway during NASCAR. Mr. Terakawa responded that there were no major issues. Chairman MacKay thanked Sunrise Plaza for stepping up to provide needed transportation. The Authority voted 3-0 to approve the Application.**

12. **Petition for Reconsideration:

Impound 1428 and Citation 15003 The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 15003 issued to Phillip L. Abodeely for violations of NRS 706.386 and NRS 706.758. Respondent's Petition for Reconsideration of the remedies set forth in the Authority's December 16, 2009 Order. The Respondent requests that the telephone appearing in the unlawful advertisement not be ordered disconnected due to evidence not previously presented, specifically the use of the telephone number in conjunction with an ongoing lawful business. (MJK) **Phillip Abodeely was present on his own behalf. Commissioner Kloberdanz summarized the case history and stated that he does not object to a modification of the order as requested. Senior Deputy Attorney General Newton also had no objections to a modification. The Authority voted 3-0 to amend the Order to not require the disconnection of the phone number.**

13. Notices (No action required) Chairman MacKay summarized items 13.a)-d).

- a) **Docket No. 10-01016** The temporary discontinuance from January 27, 2010 through June 27, 2010 of services provided by El Shadai's, Inc. under Certificate of Public Convenience and Necessity (CPCN) 2116. Staff investigation concluded.
- b) **Docket No. 10-02006** The temporary discontinuance from February 8, 2010 through February 22, 2010 of services provided by Rafael Godinez d/b/a RG Towing under Certificate of Public Convenience and Necessity (CPCN) 7174. Staff investigation concluded. **Applications Manager Babcock stated that RG towing went back into service on the intended date.**
- c) **Docket No. 10-02007** The temporary discontinuance from January 10, 2010 through June 10, 2010 of services provided by Trans-Pacific Coachline, LTD under Certificate of Public Convenience and Necessity (CPCN) 2054. Staff investigation concluded.
- d) **Docket No. 10-02022** The temporary discontinuance from February 3, 2010 through August 1, 2010, of services provided by M. Kundanani, LLC d/b/a A Vegas Towing under Certificate of Public Convenience and Necessity (CPCN) 7222. Staff investigation concluded.

14. **Consent Items:

- a) Application for Certificate of Public Convenience and Necessity to Provide Tow Car Service
 - 1) **Docket No. 09-07007** The Joint Application of Eddie Vasquez for authority to sell and transfer and of Wendy Vasquez to purchase and acquire 51% of Ed's Place Towing and Recovery, LLC (authorized to provide tow car service by tow car vehicle within the State of Nevada under Certificate of Public Convenience and Necessity 7203, Sub 1). Staff investigation concluded. **Chairman MacKay summarized the Application. Responding to a question from Commissioner Metz, Liz Babcock confirmed that the transfer involved no operational changes. The Authority voted 3-0 to approve the Application.**
 - 2) **Docket No. 10-02017** The partial voluntary cancellation of services provided by Running Bear, Inc. under Certificate of Public Convenience and Necessity. (CPCN) 7230. Carrier cancelling the authority to provide nonconsensual tow services under the Certificate. Staff investigation concluded. **Applications Manager Babcock summarized. The Authority voted 3-0 to approve the Request.**
- b) Administrative Citations and Impoundments; Chairman MacKay explained that the following items were administrative citation and impound matters in which either Staff submitted a Settlement Agreement for approval or a hearing officer presided over the hearing with respect to the alleged violation(s), made findings, and provided recommendations with respect to appropriate fines and/or other remedies. Chairman MacKay explained that the items are voted on in a block. Items 14.b)9) and 14.b)10) were pulled at the request of Staff. The Authority voted 3-0 to approve items 14.b)1)-14.d)47), excluding Items 14.b)9) and 14.b)10).

- 1) **Citation 14235** issued to Yellow Cab of Reno for a violation of NAC 706.3761. (AJM)
- 2) **Citation 14257** issued to Scott Stuart Dunlop for a violation of NAC 706.3761. (AJM)
- 3) **Citation 14256** issued to Mohammed Rahman for a violation of NAC 706.3754. (AJM)
- 4) **Citation 14236** issued to Arvindbhai Patel for a violation of NAC 706.376. (AJM) **Arvindbhai Patel was present and requested a payment schedule. Chairman MacKay explained the procedure for setting a payment plan.**
- 5) **Citation 14206** issued to A & B Logistics d/b/a Alpine Taxi for two violations of NAC 706.206. (AJM)
- 6) **Impounds 1113 and 1115 and Citation 14238** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of two vehicles registered to and Citation 14238 issued to Russell Baender for violations of NRS 706.386 and NRS 706.758. (AJM)
- 7) **Impound 1501** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of a vehicle registered to Beverly J. Conway. (AJM)
- 8) **Citation 14241** issued to J & D Automotive for violations of NRS 706.386 and NRS 706.758. (MJK)
- 9) ~~**Citation 14293** issued to Tairod Enterprises Inc. d/b/a Expedite Towing for violations of NAC 706.206 and NAC 706.250. (MJK)~~ **Removed from Agenda.**
- 10) ~~**Citation 14873** issued to Christian Lamont Holmes Brown for a violation of NAC 706.228(3) as amended by LCB File No. R127-07. (MJK)~~ **Removed from Agenda.**
- 11) **Citations 14874 and 14875** issued to Myron Delin Todd for violations of NAC 706.228(3) as amended by LCB File No. R127-07, NAC 706.228, and NAC 706 as amended by LCB File No. R127-07. (MJK)
- 12) **Citation 14948** issued to Ono for violations of NAC 706 as amended by LCB File No. R127-07 and NAC 706.228(5) as amended by LCB File No. R127-07. (MJK)
- 13) **Citations 14950 and 15051** issued to Mahan A. Washington for violations of NAC 706.228, NAC 706.329, NAC 706 as amended by LCB File No. R127-07, and NAC 706.228(3) as amended by LCB File No. R127-07. (MJK)
- 14) **Citation 14958** issued to Edwin Ortiz for violations of NRS 706.386 and NRS 706.758. (MJK)
- 15) **Citations 14972 and 14974** issued to Eddie Burnom Jr. for violations of NAC 706.228, NAC 706.329 (3 Counts), and NAC 706.354 (3 Counts). (MJK)
- 16) **Citation 15015** issued to Frank Angelo Fiore for violations of NAC 706.228(3) as amended by LCB File No. R127-07 and NAC 706.228(5) as amended by LCB File No. R127-07. (MJK)

- 17) **Citations 15016 and 15022** issued to William Arthur Sager for violations of NAC 706.329 (2 counts) and NAC 706.354. (MJK)
- 18) **Citation 15026** issued to Hector Benitez for violations of NRS 706.386 and NRS 706.758. (MJK)
- 19) **Citation 15030** issued to John Nagy for violations of NRS 706.386 and NRS 706.758. (MJK)
- 20) **Citation 15032** issued to Herbert Figueroa for violations of NRS 706.386 and NRS 706.758. (MJK)
- 21) **Citation 15034** issued to Mitzy Cristal Garcia-Sanchez for violations of NRS 706.386 and NRS 706.758. (MJK)
- 22) **Citation 15052** issued to Carmen Vito for violations of NAC 706 as amended by LCB File No. R127-07, NAC 706.228(1), and NAC 706.228(3) as amended by LCB File No. R127-07. (MJK)
- 23) **Impounds 1502 and 1518** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of two vehicles registered to Dominick Caccamo. (MJK)
- 24) **Impound 1609** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of a vehicle registered to Maria Elena Rojas. (MJK)
- 25) **Impound 1639** The impoundment pursuant to NRS 706.476 of a vehicle registered to Maria Del Refugio Speake. (MJK)
- 26) **Impound 1630 and Citation 15035** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 15035 issued to Robert Rowinsky for violations of NRS 706.386 and NRS 706.758. (MJK)
- 27) **Citations 14774** issued to The Tow Guys, Inc. d/b/a LVVI for a violation of NRS 706.4477. (MBM)
- 28) **Citation 14775** issued to Aaron Beachum for violations of NRS 706.386 and NRS 706.758. (MBM)
- 29) **Citations 14953** issued to The Tow Guys, Inc. d/b/a LVVI for a violation of NRS 706.4477. (MBM)
- 30) **Citation 15017** issued to John Henry Ryan for violations of NAC 706.354 and NAC 706.228 as amended by LCB File No. R127-07. (MBM)
- 31) **Citations 15019 and 15020** issued to Ibrahima Samb for violations of NAC 706 as amended by LCB File No. R127-07, NAC 706.228(3) as amended by LCB File No. R127-07, and NAC 706.228(5) as amended by LCB File No. R127-07. (MBM)
- 32) **Impound 1154** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of a vehicle registered to Maria Rios and Luis Ernesto Rios. (MBM)

- 33) **Impound 1482** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of a vehicle registered to Miguel F. Flores. (MBM)
- 34) **Impound 1490** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of a vehicle registered to Malco Enterprises of Nevada Inc. DBA Budget Rent A Car & Sales. (MBM)
- 35) **Impound 1496** The impoundment pursuant to NRS 706.476 as amended by A.B. 169, 75th Nev. Legis. (2009) of a vehicle registered to Felix Rosas Mendoza. (MBM)
- 36) **Impound 1331 and Citation 14771** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 14771 issued to Mark A. Dominguez for violations of NRS 706.386 and NRS 706.758. (MBM)
- 37) **Citations 14144, 14145, 14860, and 14861** issued to Big Box Storage Nevada Inc. for violations of NRS 706.167, NRS 706.285, NRS 706.398, NAC 706.170, NAC 706.206, NAC 706.209, and NAC 706.311.
- 38) **Citation 14207** issued to Reno Cab Company for two violations of NAC 706.3745.
- 39) **Citation 14234** issued to John King d/b/a Cal-Nevada Towing for a violation of NRS 706.451.
- 40) **Citation 14943** issued to Las Vegas VIP Limousines, LLC for a violation of NAC 706.140.
- 41) **Citation 15013** issued to Bashir A. Mohamed for a violation of NAC 706.354.
- 42) **Citation 15014** issued to Derbew Negesh for a violation of NAC 706.354.
- 43) **Citation 15018** issued to Pamela McNeil for a violation of NAC 706.228(3) as amended by LCB File No. R127-07.
- 44) **Citation 15025** issued to Abderrahim Mansouri for violations of NAC 706.228(3) as amended by LCB File No. R127-07 and NAC 706.228(4) as amended by LCB File No. R127-07.
- 45) **Citation 15027** issued to Michael Reyes for a violation of NAC 706.228.
- 46) **Citation 15029** issued to Glenn M. Davis for a violation of NAC 706.228(3) as amended by LCB File No. R127-07.
- 47) **Citation 15056** issued to Fast Towing Inc. for a violation of NRS 706.4477.

15. Public Comment; None

16. Adjournment; 10:42am

**** Denotes the Authority is expected to consider and may take action on this matter.**